

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

TOM HEDRICK,	)	CASE NO. 1:17-cv-2310
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
vs.	)	<b>MEMORANDUM OPINION</b>
	)	
NANCY A. BERRYHILL, Acting	)	
Commissioner of Social Security,	)	
	)	
DEFENDANT.	)	

Before the Court is the report and recommendation of the Magistrate Judge in the above-entitled action. Under the relevant statute:

Within fourteen days after being served with a copy, any party may serve and file written objections to such proposed findings and recommendations as provided by rules of court. A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made. [. . .]

28 U.S.C. § 636(b)(1)(C). The R&R was filed on November 14, 2018 (*See* Doc. No. 18) and objections would have been due on November 28, 2018. Under Fed. R. Civ. P. 6(a) & (d), three (3) additional days are added for service, making the objections due on December 1, 2018. Since that was a Saturday, under Fed. R. Civ. P. 6(a)(1)(C) & (4)(A), the objections were finally due by midnight on the next business day, that is, December 3, 2018. No objections were filed on or before that deadline, and no extension of time has been sought or given.

The failure to file written objections to a Magistrate Judge's report and recommendation constitutes a waiver of a de novo determination by the district court of an issue covered in the report. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986); *see United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).

The R&R recommends affirming the Commissioner's decision and dismissing plaintiff's complaint. The Court has reviewed the R&R, finds it to be very thoroughly written and reasoned, and, therefore, accepts the same. Accordingly, the Court concludes that the Commissioner's decision denying plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income was supported by substantial evidence and must be **AFFIRMED** and this case **DISMISSED** with prejudice.

**IT IS SO ORDERED.**

Dated: December 4, 2018

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**